

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Michael K. Wills

Group Art Unit: 3671

Serial No.:

10/664,226

Examiner: Gary S. Hartmann

Filed:

September 16, 2003

Confirmation No.: 3375

Docket No.:

1070405-991100

Customer No.: 26379

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Cathy Pittman

## RESPONSE TO OFFICE ACTION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a response to the Office Action mailed on August 17, 2004. Applicant requests consideration of the pending claims in light of the remarks set forth below.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

ITW

SEP 2 0 2004 BY

PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Under the Paperwork Reduction 10/664,226 **Application Number** September 16, 2003 TRANSMITTAL Filing Date **FORM** First Named Inventor Michael K. Wills 3671 Art Unit (to be used for all correspondence after initial filing) Gary S. Hartmann **Examiner Name** Attorney Docket Number 1070405-991100 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Drawing(s) Fee Transmittal Form to Group Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to Group Petition Response to Office Action (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Status Letter Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s): **Extension of Time Request Terminal Disclaimer** Certificate of First Class Mail; Return Postcard: Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Gray Cary Ware & Freidenrich LLP Kieup Sung Individual name Signature September Date **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name v Pittman Signature September 16, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Cathy Pittman

## CERTIFICATE OF FIRST CLASS MAIL

COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

In re:

Application No.: 10/664,226

Filing Date:

September 16, 2003

Inventor(s):

Michael K. Wills

Docket No.:

1070405-991100

Examiner:

Gary S. Hartmann

Art Unit:

3671

Title:

CONTROLLING EMISSIONS DURING ASPHALT PAVING

Sir:

Transmitted herewith for filing for the above-referenced parent application are:

No. Pgs. Title of Document

- [1] Transmittal Form;
- [3] Response to Office Action;
- Certificate of First Class Mailing; and [1]
- Return Postcard [1]